

City Council Introduction: June 24, 2013

Bill Number 13-74

Public Hearing: July 1, 2013

## **FACT SHEET**

**TITLE:** Amending LMC Section 5.04.165 -  
Open alcoholic beverage containers in  
motor vehicles

**SPONSOR:** Law Dept.

**OPPONENTS:**

**OTHER DEPARTMENTS AFFECTED:**  
LPD

**STAFF RECOMMENDATION:**

**APPLICANT:** John McQuinn,  
Chief City Prosecutor

### **REASON FOR LEGISLATION:**

AN ORDINANCE amending Section 5.04.165 of the Lincoln Municipal Code relating to open alcoholic beverage containers in motor vehicles by adding a new subsection (c) to classify a violation of this section as an infraction and proscribing the penalty for violation of that section, consistent with state statutes.

## **DISCUSSION**

Open alcoholic beverage container in a motor vehicle is a traffic infraction under state statutes. This amendment brings the municipal ordinance into conformity with state statutes and clarifies the distinction between this section and other sections in Chapter 5.04.

**POLICY OR PROGRAM CHANGE:**

**COST OF TOTAL PROJECT:**

**SOURCE OF FUNDS:**

**CITY:**

**NON CITY:**

**BENEFIT COST:**

**FACT SHEET PREPARED BY:** John McQuinn, Chief City Prosecutor

**REVIEWED BY:**